

## Challenge for Congress: National Defense Authorization Act (NDAA) for 2024 Wokeism in the Military

The **Center for Military Readiness** is following many proposals to address controversial military/social issues that define wokeism, a problem that is not difficult to define: **Wokeism is progressivism, taken to extremes and imposed with coercion, even if it hurts the institution.**

A number of issues included on this [CMR Challenge: Strengthen Our Military – Secure American Freedoms](#) are being addressed in both the House and Senate. These ideas are among the most promising:

### 1. Meritocracy in the Military

In the past year, concern has grown about persistent efforts to erode meritocracy in the military with mandates for demographic “**diversity, equity & inclusion**” (DEI) metrics and quotas. Several proposals are under consideration.

Senate Armed Services Committee Ranking Member **Roger Wicker** (R-MS) is sponsoring [S. 1811](#), the [Military Merit, Fairness, and Equality of Act of 2023](#), together with [12 co-sponsors](#). The bill includes solid findings and proposals that would:

- Redefine “equity” to mean “equality,” a paramount value that the military has always stood for, and “*ensure treatment in the military based on merit and demonstrated performance,*”
- Prohibit the **Department of Defense** from compelling any member of the Armed Forces to “personally affirm, adopt, or adhere to the tenet that any sex, race, ethnicity, religion or national origin is inherently superior or inferior.”
- Stand in contrast with President Biden’s **Executive Order 14091**. (See Prohibitions, Sect. 4) Biden’s February Executive Order mandates special treatment of “**underserved communities,**” which includes every demographic group imaginable except white males who are healthy, reasonably well-off, and Christian. (CMR Analysis below)
- Establish with straightforward words, “**merit**” and “**demonstrated performance**” as primary considerations in all DoD personnel actions. (See Sec. 5 “Merit Requirement”)

By defining “equity” as equal opportunity instead of equal outcomes, S. 1811 takes a card from the progressive’s deck and seizes the language to control the policy. Under the bill, if a DoD component has a “**diversity, equity, & inclusion**” (DEI) office or some DEI initiative, it must be one that promotes *equal opportunities*, not *equal outcomes*.

### ***Background:***

Last March, the **Center for Military Readiness** [analyzed](#) President Joe Biden’s radical **Executive Order 14091**, which called for a small army of “diversity equity teams” reporting to the White House and using an “ambitious, whole-of government approach to racial equity.” If

someone wants to make a claim of racial discrimination, the DoD will claim they are complying with the law – except there is a catch: no law to back up a potential plaintiff.

A two-pronged approach – restoring non-discrimination and recognition of meritocracy and mission accomplishment as paramount considerations – while defunding government organizations pursuing discriminatory DEI agendas, might fill that gap.

## 2. Defunding DEI

### a.) **Restoring Military Focus Act:**

**Rep. Chip Roy** (R-TX) is [teaming up](#) with Sen. Marco Rubio to sponsor the [Restoring Military Focus Act](#), which would eliminate the office of the DoD **chief diversity officer (CDO)** and similar power bases and practices that impose woke ideology on all DoD employees and troops. **Rep. Greg Steube** (R-FL) also is sponsoring [legislation](#) to prohibit the use of federal funds for DEI activities in the armed forces.

b) The [Defense Appropriations Act for FY 2023](#), pending before the House Appropriations Committee, also would defund many initiatives that are imposing woke policies on our military. (See pp. 137-143)

### *Background:*

A number of major organizations and [more than 160 retired flag and general officers](#) have joined with CMR in expressing concern about DEI and **critical race theory (CRT)** programs that detract from meritocracy in the military, divide the troops, and undermine morale.

A [Pew Research](#) survey in April 2022 found that **74%** of people surveyed, including a majority of black respondents, opposed racial preferences in college admissions.

### b.) **The WARRIOR Act: Working to Address Recruiting & Retention to Improve Our Readiness**

**Rep. Michael Waltz** (R-FL) is primary sponsor of the [WARRIOR Act, HR 3278](#), which reflects recommendations of the [Report of the National Independent Panel on Military Service and Readiness](#), a **Heritage Foundation** panel that Waltz chaired. Among other things:

- The WARRIOR bill calls for a “freeze” on DEI offices and staff and specifies a ratio for them. It also calls for a hiring freeze in DEI offices, and requires a report by December 1, 2023, on the number of DEI programs, personnel assigned, and total costs.
- The bill reads: ***“It is the Sense of Congress that: . . . (2) the rich diversity we see in American society today has been greatly influenced by the Constitution and the merit-based structure of our Armed Forces; . . . (the Armed Forces should provide equal opportunity for all members; (6) advancement and selection in the Armed Forces should be based solely on merit; (7) photos of members should not [be] considered by***

*promotion and selection boards; and (8) the needs of the Armed Forces should always take precedence over meeting artificially derived quotas for diversity.” ... (emph. added)*

- Then the bill adds: “**Sec. 3 (a) Prohibitions on uses of Federal Funds – No Federal funds may be used to – (1) take into consideration the race, ethnicity, color, national origin, or gender of an individual when making a determination regarding a military accession, assignment, selection, or promotion;**”

The language is promising, but the bill’s important reference to “merit” is in the “**Sense of Congress**” section instead of being in the statutory Legislative Section 3.

### **3. Critical Race Theory (CRT)**

a.) Mike Waltz’ [WARRIOR](#) bill includes promising language under “*Prohibitions:*”

- Federal funds may not be used: “**to promote critical race theory at a Service Academy, in military training, or in professional military education; or to investigate extremism in the Armed Forces of or Department of Defense.**”
- Under “Definitions” the bill states: “**(1) The term “critical race theory” means the theory that individuals, by virtue of race, ethnicity, color, or national origin, bear collective guilt and are inherently responsible for actions committed in the past by other individuals of such race, ethnicity, color, or national origin.** (emphasis added)

b.) **Combatting Racist Training in the Military Act of 2023:**

Senator Tom Cotton (R-AR) and four Republican colleagues are co-sponsoring the [Combatting Racist Training in the Military Act of 2023, S. 556](#), which includes findings and [legislation](#) to [defund CRT programs in DoDEA schools](#). (Steve Daines (MT), Marsha Blackburn (TN), James Lankford (OK), and Mike Lee (UT). Rep. Dan Bishop (R-NC) and [60 others](#) are co-sponsoring similar legislation.

This legislation would prohibit the Armed Forces and academic institutions of the Department of Defense from promoting specified anti-American and racist theories (e.g., that any race is inherently superior or inferior to any other race).

The bill would prohibit: Including anti-American and racist theories or materials in curricula, reading lists, seminars, workshops, trainings, or other educational or professional settings in a manner that could appear as sponsorship, approval, or endorsement; Contracting with, hiring, or otherwise engaging speakers, consultants, diversity trainers, and other persons for the purpose of advocating anti-American and racist theories; Compelling members of the Armed Forces to affirm or profess belief in anti-American and racist theories; and Segregating members of the Armed Forces by race in any setting, including educational and training sessions.

***Background:***

Controversies about woke-ism in the military are especially concerning when children are involved. CMR has [analyzed](#) three of six [CRT-loaded booklets](#) for children authored “with” **Kelisa Wing**, a self-described woke activist who was appointed to head the Diversity & Inclusion Office of the **Department of Defense Education Activity (DoDEA)** schools.

As the excerpts show, the booklets constitute entry-level CRT indoctrination for elementary school children. Each of them misleads students with half-truths, prejudicial stereotypes, CRT-influenced history lessons that misrepresent or omit essential facts, and disparaging comments about America’s **Founding Fathers** and documents such as the **U.S. Constitution**.

The exposure of military dependent children to toxic CRT ideology is worse than in civilian schools, since the messages conveyed could confuse children and cause them to question why their own parents are serving in defense of a nation that they learned in school was founded in “racism” by white supremacists.

Just before a recent House Armed Services Committee hearing in March, members who had questioned Ms. Wing’s suitability to be Diversity & Inclusion Director of schools for military children learned that she had been [re-assigned](#) and her office disbanded. This was good news, but Wing’s former boss Tom Brady, who fully supports Wing’s philosophy, [announced](#) that DEI specialists would be disbursed elsewhere as part of a “*reconfiguration of talent.*”

#### **4. Policies Affecting Persons Identifying as Transgender**

Republican Senators **Marco Rubio**, Marsha Blackburn, **Ted Budd** (NC), **Tommy Tuberville**, (AL) and **Mike Braun** (IN) are co-sponsoring the [Ensuring Military Readiness Act of 2023, S. 435](#), which would counter the most extreme elements of the Biden/Harris transgender policy. **Rep. Jim Banks** (R-IN) is sponsoring similar legislation, [H.R. 1064](#).

- As stated in this [Summary](#), the Ensuring Military Readiness Act would recognize that “*The DoD has always taken the physical and mental characteristics of individuals into account when determining eligibility for service.*”
- With exceptions for certain people identifying as transgender but who serve in their biological sex, the bill “*Disqualifies any individual who identifies as transgender or seeks or has already undertaken gender reassignment surgery.*”
- The bill also “*Requires the [Defense] Secretary to change how the DEERS (Defense Enrollment Eligibility Reporting System) works to only allow biological sex to be taken into consideration for gender markers . . .*” (emphasis added)

According to a **Rasmussen Poll** released on June 1, [by a 3-1 margin](#) Americans believe there are only two genders. A proposal such as this would reaffirm common sense, not ideological theories that attempt to deny biological realities.

#### **5. Bill to Prohibit Drag Shows & “Adult Cabaret Performances”**

Senators Steve Daines, Tom Cotton, **Ken Cramer**, Ted Budd and Marco Rubio have sponsored [legislation](#) to put an end to sexualized [drag shows](#) and “[adult cabaret performances](#)” from [military bases](#). **Rep. Matt Rosendale** and nine colleagues are co-sponsoring similar [legislation](#), [H.R. 3825](#), and **Rep. Chip Roy** (R-TX) has [demanded a list of DoD-sponsored Pride events](#).

### ***Background:***

Shortly after [questioning](#) from HASC members **Matt Gaetz** (R-FL) and **Elise Stefanik** (R-NY), Secretary of Defense Lloyd Austin, with [full support](#) from Joint Chiefs Chairman **Gen. Mark Milley**, [signed a directive barring drag queen performances on military bases](#).

Congressional action still is needed because the Defense Department and the various military services are fully committed to LGBT Pride activities that could host inappropriate drag performances again:

- **DoD:** Under Secretary of Defense for Personnel and Readiness **Gilbert Cisneros** signed A [Memorandum](#) that links to an official DoD “[Human Relations Toolkit](#)” featuring all sorts of paraphernalia promoting controversial San Francisco gay activist **Harvey Milk**.
- **Navy:** In 2018, then-**Yeoman 3<sup>rd</sup> class Joshua Kelley**, a.k.a. drag queen **Harpy Daniels**, [performed](#) a drag queen strip dance on the carrier **USS Ronald Reagan**. Four years later, the same sailor became the Navy’s first [drag queen “digital ambassador”](#) to new recruits in a pilot program that ended in March. Yeoman Kelley continues to post on Instagram and TikTok photos and videos of himself wearing exaggerated wigs, makeup, and glittery drag show outfits.
- **Air Force:** The Air Force set off shock waves with a Pride Month graphic of an airman in silhouette [saluting rainbow flag colors](#). The Air Force also issued a brochure promoting three Pride events in Washington, D.C., and a helpful form for personnel to use in applying for [travel expenses](#) to attend those events. According to the *Daily Caller*, the Air Force [hosted 67 Pride celebrations](#) in 2022, with [no end in sight](#).
- **Space Force:** **Lt. Gen. DeAnna Burt**, Chief Operations Officer for the U.S. Space Force [denounced “dangerous” legislation](#) that would limit LGBT demands – most of which are intended to protect children from books and school events promoting the LGBT agenda.

As the Center for Military Readiness [reported](#) in February, a December 2022 revision in Defense Department regulations regarding persons identifying as transgenders ([DoDI 1300.28](#)) specifically authorized on-duty, on-base cross-dressing options for personnel preparing to transition. This permissive policy goes beyond Obama-era rules, which **permitted “real life experience” (RLE)** cross-dressing only while off-duty and off-base.

CMR correctly predicted that this change could increase numbers of [cross-dressing drag queen performers](#) (who are not necessarily transgender) performing on military bases. Sexualized performances by male drag queens are a form of cultural appropriation that stereotypes and

disrespects women, and “drag queen story hour” events with military children are even more inappropriate.

This type of adult entertainment is no more acceptable on a military ship or base than a minstrel show would be, and questions about “equity” complicate matters. If Yeoman Kelley can perform strip dances on ships or military bases, why shouldn’t Navy women be allowed to lift morale by expressing their own sexuality in the same glitzy-costumed way?

Congress should demand accountability from policymakers whose fascination with LGBT culture has led many to forget the importance of military discipline, selflessness, and undiminished focus on missions that protect national security in a dangerous world.

## 6. Servicemember Parents Bill of Rights

In 2022, House Republican Conference Chair Rep. Elise Stefanik sponsored the [Servicemember Parents Bill of Rights](#), which passed with a 39-19 bipartisan vote in Committee and again on the floor. (Similar legislation sponsored by Sen. Marsha Blackburn was defeated in committee on a 13-13 tie vote.) However, [much to the dismay of parents’ rights advocates](#), House/Senate negotiators watered down the Stefanik amendment, turning it into a “Sense of Congress” resolution, not binding law.

### ***Background:***

Congress should revisit the issue in 2023. Over the long term, lack of servicemember parents’ rights legislation could make the current recruiting crisis worse, since CRT teachings that disparage America’s history and discourage patriotism could dissuade military children who otherwise might follow their parents’ example in volunteering to serve.

Passage also would lend support to civilian parents who want to oversee their children’s education. A recent **Rasmussen Poll** found that 82% of California likely voters [disagreed with the statement](#), “A person loses their parental rights when a child enters public school.”

## 7. Army Combat Fitness Test (ACFT):

Rep. Mike Waltz’ [WARRIOR](#) bill states, under Sec. 3, Prohibitions:

*“(b) Gender-Neutral Physical Standards – Not later than 180 days after the date of the enactment of the Act, the Secretaries of the military departments shall establish gender-neutral physical readiness standards that ensure members can perform the duties of their respective military occupational specialties.”*

This essentially restates language in last year’s NDAA, which was adopted after House/Senate negotiators altered better language that had been successfully passed by Rep. Waltz and by Sen. Tom Cotton and **Sen. Joanie Ernst (R-IA)**:



*“The committee recommends a provision that would require the Secretary of the Army to establish sex-neutral fitness standards for Army **combat** military occupational specialties (MOSs) **higher than such standards for non-combat MOSs** not later than 180 days after the date of the enactment of this Act. The provision would require the Secretary to provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives that describes the list of **combat MOSs with higher fitness standards** and the methodology used to include a certain MOS on the list.” (emphasis added)*

Without the word “combat” in the legislation, the Army has so far not complied with [the intent](#) of the Cotton/Ernst/Waltz legislation. (A report from the Army is due in June)

***Background:***

Sex-neutral standards are needed in specified combat arms units and MOSs, but female x-ray technicians should not have to meet the same physical standards as infantry soldiers. Treating women like men results in higher injuries rates among women and lower standards for men. Even after the Army [restored sex-normed \(different\) standards](#), instead of the sex-neutral standards that the Army promised, women are [suffering injuries at twice the rates of men](#).

If the Army expects women in non-combat positions to meet the same ACFT standards as men, injuries will persist, and standards will have to be lowered for men.

**8. Reinstating Military Members Separated Due to COVID Mandates**

a.) Republican **Senators Ted Cruz (TX) and Rick Scott (FL)** have re-introduced the [AMERICANS Act \(Recognizing Individual Concerns About New Shots\)](#), which would reinstate service members fired due to DoD COVID mandates.

b.) Rep. Waltz’ [WARRIOR](#) bill also calls for establishment of a Special Master to investigate across-the-board remedies for current and former service members adversely affected by those vaccination mandates, including restoration to service and backpay for those affected.

***Background:***

Given current questions about justification of these mandates, Congress should do what it can to repair adverse consequences needlessly suffered by individuals in the military.

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*This informational paper was prepared by the Center for Military Readiness, an independent public policy organization that reports on and analyzes military/social issues, and does not constitute endorsement of legislation. CMR President Elaine Donnelly can be reached at [elaine@cmrlink.org](mailto:elaine@cmrlink.org), and more information is available at [www.cmrlink.org](http://www.cmrlink.org).*